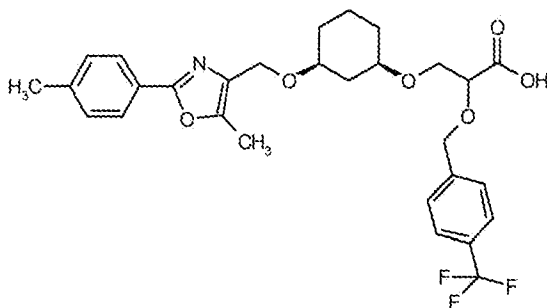


Per Examiner's request, Applicant herein elects to prosecute the claims of Group I (Claims 1-8 directed to products of formula I). The Examiner requested that Applicant identify a species that is consonant with the election. Applicant elects the compound of Example 81 (see page 131) as the single species. Example 81 has the following structure:



Upon reviewing Claim 1, Applicants' agent noticed that the definition of R7 contains several typographic errors such that Claim 1 of the instant application as filed does not read upon Example 81. This error was the result of over zealous reliance on the use of the cut and paste functionality in the word processing program. The errors that have been corrected via the amendment herein were unintentional and were made without any intent to deceive. The corrections are as follows:

The "O" was deleted from "O-(C3-C8)-cycloalkyl", "O-phenyl" and "O-(C5-C11)-heteroaryl". Furthermore, "and" was deleted from the very end of this paragraph and "wherein" was inserted at the beginning of the next paragraph. This next paragraph is also **newly indented** which necessitated the further indentation of subsequent paragraphs within the definition of R7. Please note that Applicant's agent did not show this indentation change via "mark up". Nevertheless, this *is* a change made relative to the immediate prior version of the claim. These latter changes (i.e. deletion of "and", insertion of "wherein", and the new indentation) have been introduced to more clearly indicate the substituents that are optionally substituted.

Applicants submit that a one skilled in the art reading the priority document and the specification would be able to discern the error and understand that the Applicant intended to claim the subject matter of Claim 1 as amended herein.

1) Firstly, Claim 1 of the priority document (USSN60/487510) clearly recites:

R7 is H, F, (C1-C6)-alkyl, (C2-C6)-alkenyl, (C2-C6)-alkynyl, **(C1-C6)-alkoxy**, cyclohexyl, phenyl, *where* alkyl and **alkoxy may be** unsubstituted or substituted by: *phenyl*, (C1-C6)-alkoxy or NR10R11, *and phenyl for its part may be substituted by* (C1-C6)-alkoxy, F or **CF3**;

2) Secondly, Claim 3 of the instant application (which is dependent upon Claim 1) defines R7 such that it reads upon Example 81:

R7 is H, (C1-C6)-alkyl, *O*-(C1-C6)-alkyl, (C1-C6)-alkyl-O-(C1-C6)-alkyl, (C2-C6)-alkenyl, O-(C2-C6)-alkenyl, O-(C2-C6)-alkynyl or CH<sub>2</sub>NR<sub>10</sub>R<sub>11</sub>,  
*wherein said* (C1-C6)-alkyl, *O*-(C1-C6)-alkyl, (C2-C6)-alkenyl and O-(C2-C6)-alkenyl groups *are optionally substituted by phenyl* or (C5-C6)-heteroaryl,  
*wherein said phenyl* and (C5-C6)-heteroaryl groups *are optionally substituted by* (C1-C6)-alkyl, O-(C1-C6)-alkyl or CF<sub>3</sub>.

3) Finally, there are numerous examples in the specification that provide support for Applicants' contention that Applicants intended to claim R7 as amended herein. See, for example:

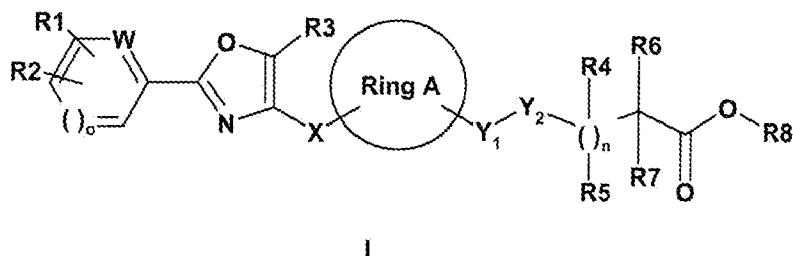
- Ex. 9 -- R7 is (C1-C6)-alkyl substituted by phenyl which is substituted by (C1-C6)-alkyl and F;
- Ex. 11 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 13 -- R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 14 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 15 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by O-(C1-C6)-alkyl;
- Ex. 16 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by (C1-C6)-alkyl;
- Ex. 17 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by (C1-C6)-alkyl;
- Ex. 18 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by (C1-C6)-alkyl;
- Ex. 19 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 20 - R7 is O-(C1-C6)-alkyl substituted by (C5-C6)-heteroaryl which is substituted by Cl;
- Ex. 25 - R7 is O-(C1-C6)-alkyl substituted by phenyl
- Ex. 76 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 77 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 78 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 79 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 80 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 81 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 82 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 83 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 84 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 89 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 90 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;
- Ex. 91 - R7 is O-(C1-C6)-alkyl substituted by phenyl which is substituted by CF<sub>3</sub>;

Note that all of the examples above illustrate compounds wherein R7 is O-(C1-C6)-alkyl substituted by **phenyl** or **(C5-C6)-heteroaryl**. There are no examples of compounds wherein O-(C1-C6)-alkyl is substituted by **O-phenyl** or **O-(C5-C6)-heteroaryl**. Furthermore, despite the fact that the specification does not contain examples of instances wherein R7 is O-(C1-C6)-alkyl substituted by **(C3-C8)-cycloalkyl**, Applicants' submit that one skilled in the art would understand that the same error made with respect to the **phenyl** and **(C5-C6)-**

**heteroaryl** groups extends to the (C3-C8)-cycloalkyl group because all three groups are properly named in line 25 of original Claim 1 where optional substitution of the three groups is discussed.

Assuming the Examiner will enter Applicants' amendment submitted herewith, the exact definition of each substitution on the base molecule (Formula I) is set forth below per Examiner's request.

Example 81 is a compound of the formula I



wherein:

Ring A is (C3-C8)-cycloalkanediyl;

R1, R2 are each independently H, (C1-C6)-alkyl;

R3 is (C1-C6)-alkyl;

W is CH;

O is 1;

X is (C1-C6)-alkanediyl, wherein one or more carbon atoms of said (C1-C6)-alkanediyl group are optionally replaced by oxygen atoms;

Y1 is O;

Y2 is CR<sup>12</sup>R<sup>13</sup>;

n is 0;

R6 is H;

R7 is O-(C1-C6)-alkyl

wherein said O-(C1-C6)-alkyl is optionally substituted by phenyl

wherein said phenyl is optionally substituted by (C1-C6)-alkyl,

wherein said (C1-C6)-alkyl substituent is optionally substituted by F (fully or partially).

R8 is H;

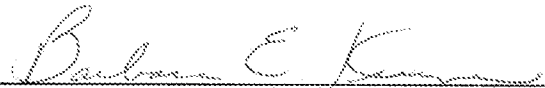
R12 is H; and

R13 is H.

Applicants submit that once the compounds of the present invention are found to be novel, then the other Groups defined by the Examiner that contain any compositions of matter containing those compounds should also be found to be novel and rejoined. Likewise, pursuant to linking claim practice, at least one of the method claims should be rejoined.

Furthermore, Applicants affirm their right to file one or more divisional applications with respect to any of the non-elected subject matter.

Respectfully submitted,



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